

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DONNIE SCOTT,
Plaintiff,
v.
ERIC GOLDING, et al.,
Defendants.

Case No. [19-cv-06046-HSG](#)

**ORDER DENYING MOTION TO
COMPEL WITHOUT PREJUDICE**

Re: Dkt. No. 27


Plaintiff, a California state prisoner incarcerated at California State Prison – Los Angeles County, filed the instant *pro se* civil rights complaint under 42 U.S.C. § 1983. Plaintiff has filed a motion to compel further response to his interrogatories. Dkt. No. 27. Plaintiff's motion to compel is DENIED without prejudice to re-filing after he complies with the meet-and-confer requirement set forth in Fed. R. Civ. P. 37 and N.D. Cal. L. R. 37-1(a). Fed. R. Civ. P. 37(a)(1) requires that a motion to compel discovery "include a certification that the movant has in good faith conferred or attempted to confer with the person or party failing to make disclosure or discovery in an effort to obtain it without court action." Fed. R. Civ. P. 37(a)(1). Local Rule 37-1(a) provides that the Court will not entertain a request or a motion to resolve a disclosure or discovery dispute unless, pursuant to Fed. R. Civ. P. 37, counsel have previously conferred for the purpose of attempting to resolve all disputed issues. N.D. Cal. L. R. 37-1(a). Plaintiff's motion to compel lacks the necessary certification that plaintiff has in good faith conferred with defendants in an effort to obtain the requested discovery without court action. Accordingly, plaintiff's motion to compel is DENIED without prejudice to re-filing with the requisite certification if he is unable to obtain the requested discovery after good faith meet-and-confer efforts.

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This order terminates Dkt. No. 27.

IT IS SO ORDERED.

Dated: 4/28/2020


HAYWOOD S. GILLIAM, JR.
United States District Judge

United States District Court
Northern District of California